



**CALIFORNIA WORKFORCE INVESTMENT BOARD
ADMINISTRATIVE COMMITTEE
MEETING NOTICE**

June 18, 2007

1:00 p.m. – 3:00 p.m.

South Bay Workforce Investment Board

11539 Hawthorne Blvd, Suite 500

Hawthorne, CA

Lawrence Gotlieb
Chair

Chris Essel
Vice Chair

**Audio Teleconference Site:
California Workforce Investment Board
777 12th Street, Suite 200
Sacramento, CA**



Arnold Schwarzenegger
Governor

Barbara Halsey
Executive Director

AGENDA

- 1. Welcome and Announcements – Larry Gotlieb, Chair**
- 2. Update – Executive Director's Report**
 - **Legislative Update**
 - **Workforce Training Act (SB 293) Implementation**
 - **Common Measures Waiver**
 - **Special Committees Update**
- 3. Action – Approval of Administrative Items**
 - **April 3, 2007 Administrative Committee Meeting Summary of Actions**
 - **Recommendations for Local Area Modification Requests: Carson/Lomita/Torrance and South Bay**
- 4. Discussion – July 26, 2007 State Board Meeting Agenda**
- 5. Public Comment**
- 6. Other Business that May Come Before the Committee**

Meeting conclusion time is an estimate; meeting may end earlier subject to completion of agenda items and/or approved motion to adjourn. In order for the Committee to provide an opportunity for interested parties to speak at the public meetings, public comment may be limited. Written comments provided to the Committee must be made available to the public, in compliance with the Bagley-Keene Open Meeting Act, §11125.1, with copies available in sufficient supply.

Individuals who require accommodations for their disabilities (including interpreters and alternate formats) are requested to contact the California Workforce Investment Board staff at (916) 324-3425 at least ten days prior to the meeting. TTY line: (916) 324-6523. Please visit the California Workforce Investment Board website at <http://www.calwia.org> or contact Daniel Patterson for additional information.

Welcome and Opening Remarks

Updates:

- **Legislative Update**
- **Workforce Training Act (SB 293) Implementation**
- **Common Measure Waiver**
- **Special Committees Update**

DRAFT DIRECTIVE TRANSMITTAL
WORKFORCE INVESTMENT ACT

Number: WIADD-143

Date: June 1, 2007

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WORKFORCE TRAINING ACT (SB 293) IMPLEMENTATION GUIDANCE

☒ **IMMEDIATE ACTION**

Bring this draft to the attention of the appropriate staff.

☒ **E-MAIL COPY TRANSMITTED**

Number of pages (including coversheet): 8

If there are any problems with this transmittal, please call the Pagemaster at 916/654-8008.

SUBJECT MATTER HIGHLIGHTS:

Please review and comment on the attached draft directive.

This directive provides guidance for implementing some of the changes in the Unemployment Insurance Code mandated by Senate Bill 293 (Ducheny), Chapter 630, Statutes of 2006.

COMMENTS ARE DUE BY:

6/22/07

Comments can be submitted through one of the following ways:

- 1) **Fax** — WSD, Attention: **L. Selman** at 916/654-9586
- 2) **E-Mail** — lselman@edd.ca.gov (Include "draft comments" in the subject line)
- 3) **Mail** — WSD / P.O. Box 826880 / MIC 69 / Sacramento, CA 94280-0001

All comments received by the end of the comment period will be considered before the final directive is issued. However, we will not be able to individually respond to comments. **Comments received after the specified due date will not be considered.**

If you have any questions, contact your WSD Regional Advisor at (916) 654-7799.

DRAFT DIRECTIVE

WORKFORCE INVESTMENT ACT

Number:

Date:

69:216:df:10929

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WORKFORCE TRAINING ACT (SB 293) IMPLEMENTATION
GUIDANCE

EXECUTIVE SUMMARY:

Purpose:

Workforce Investment Act (WIA) Directive WIAD06-17, dated March 20, 2007, notified the workforce development community of changes in WIA-funded activities required by amendments to the California Unemployment Insurance (UI) Code. Following issuance of that directive, California Workforce Investment Board (State Board) and Employment Development Department staff worked with representatives of the local workforce investment community to develop implementation guidance. The purpose of this directive is to provide guidance for implementing those areas of the new UI Code requirements that were identified as impacting Local Workforce Investment Boards (Local Board). Other directives providing additional guidance on the implementation of the requirements of SB 293 or its influence in local planning will be issued upon development.

Scope:

This directive applies to all Local Boards.

Effective Date:

This directive is effective on the date of issuance.

REFERENCES:

- Senate Bill (SB) 293 (Ducheny), Chapter 630, Statutes of 2006
- UI Code 14000 – 14500
- WIA 117(b)(2) and (d), 121(b)(1), and 134(c)(2)(A) and (d)(4)(A)(iii)
- Title 20 of the Code of Federal Regulations (20 CFR) 660.300, 661.305, 661.315, 662.100(c), 662.200, 662.210(c), 662.250, 663.310(c), 663.420, and Preamble pages 49294, 49295, 49307, 49309, and 49310

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STATE-IMPOSED REQUIREMENTS:

This directive contains some State-imposed requirements. These requirements are indicated by bold italic type.

FILING INSTRUCTIONS:

Retain this directive until further notice.

BACKGROUND:

SB 293 amended the California UI Code to repeal Division 8, Family Economic Security: Job Preparation and Training Services, and to amend Division 7, California Workforce Investment Act, by replacing Section 14000 and adding Sections 14005 - 14530. These changes to the UI code provide guidance and new requirements for carrying out WIA-funded programs.

POLICY AND PROCEDURES:

Local Board Membership

Requirement. UI Code 14202 describes the mandatory composition of Local Boards. Most of this section reiterates federal law with some minor changes; however, Section 14202(c) constitutes a significant change. It provides for ***“Representatives of labor organizations nominated by local labor federations, including a representative of an apprenticeship program. At least 15 percent of local board members shall be representatives of labor organizations unless the local labor federation fails to nominate enough members. If this occurs, then at least 10 percent of the local board members shall be representatives of labor organizations.”*** [Cf. WIA 117(b) (2) and 20 CFR 661.315.]

Definitions: For the purposes of carrying out this requirement, the following definitions provide clarification for the language in UI Code 14202(c).

- The term labor federation means an alliance of two or more organized labor unions for the purpose of mutual support and action [Cf. 20 CFR 660.300]. Some Local Workforce Investment Areas (Local Area) may share jurisdiction with more than one labor federation, and conversely, some labor federations may share jurisdiction with more than one Local Area. At the regional or local level, labor federations may be known also as central labor councils.

Because they typically (although not always) represent all unions in a geographic area, labor federations may represent workers in very diverse industries such as construction, manufacturing, health care, education, transportation, and hospitality. Some labor federations may be narrower in scope, depending on the industries and labor force in the area covered.

For example, representing a very broad range of workers, the American Federation of Labor and Congress of Industrial Organizations, commonly known as the

AFL-CIO, is the largest and best-known labor federation in the U.S. In California, there are 24 AFL-CIO central labor councils chartered by the California Labor Federation AFL-CIO. Contact information is online at www.calaborfed.org/about/clc.html.

- The phrase *nominated by local labor federations* indicates that nominations must be submitted by at least one local labor federation, but not necessarily by multiple local labor federations, even if there are multiple local labor federations within the local board's jurisdiction. Appointment to a Local Board is ultimately at the discretion of the local Chief Elected Official (CEO), though appointments must be drawn from these nominations.
- The phrase *unless the local labor federation fails to nominate enough members* indicates a reference to the quantity of nominations, the quality of those nominations, or both.
 - For example, if a local CEO needs to appoint six labor representatives to the Local Board in order to meet the 15-percent requirement, but receives only five nominations after having made a good faith effort to solicit them, the CEO has met the condition allowing for the lower 10-percent threshold.
 - Similarly, if that same CEO has established reasonable qualifying criteria applicable to all of its Local Board members (e.g., to be a member one must be available to attend the board's monthly meetings), and the CEO receives ten nominations, but only five of those individuals satisfy the qualifying criteria (e.g., five are unavailable to attend the board meetings), then again, the CEO has met the condition allowing for the 10-percent threshold.

The process for soliciting nominations from labor federations should be an open nomination process and instituted at any time that a Local Board is not meeting the 15-percent requirement. Local labor federations retain the opportunity to forward nominations for appointment to available seats vacated through attrition and/or non-compliance with reasonable and universally applied requirements for board service.

Procedure. If and when a Local Board does not meet the 15-percent requirement, the local CEO should re-solicit nominations until the 15-percent requirement is met. The CEO should document the good faith efforts made to meet this requirement (e.g., copies of letters of outreach to local labor federations and copies of their written responses).

In soliciting and accepting nominations from labor federations, local CEOs should keep in mind which representatives would best serve the industries and occupations that are key to the local economy and/or experiencing high levels of growth. CEOs also should be aware that there may be some local unions or other labor organizations that are not a part of the local labor federation. Local business leaders and economic development agencies may be able to assist the CEO in identifying those labor unions that may want to consider, and should be considered for Local Board membership. The CEO can help

such entities work with a labor federation in order to obtain a nomination from that labor federation, as required under the new State law and existing federal law.

When a labor federation nominates an individual for Local Board membership, the CEO is not obligated to accept that individual as a member and can work with the labor federation on additional or alternative nominations. The CEO should have a policy or procedure in place (such as Local Board by-laws) that ensures that the selection criteria are fair, reasonable, applied to all Local Board nominees and members, and are in the best interests of the area served by the Local Board.

There are two alternatives that can be considered if a Local Board does not currently have the 15 percent labor representation required under SB 293. It should be noted that in addition to the new 15 percent labor requirement, the Local Board must still maintain a business majority representation on the board as well.

For example, if a Local Board had 40 members comprising 21 business representatives, 2 labor representatives, and 17 representatives of the remaining public-sector partners, only 5 percent of the board would represent labor. Adding 6 more labor representatives would meet the 15 percent labor requirement, though an additional 5 business representatives would need to be added to maintain the business majority. As a result, the size of the board would dramatically increase by 11 members from 40 to 51. It should be noted, as well, that local unions can assist in identifying potential recruits from the business community, although those nominations must be provided by local business organizations and business trade associations.

Alternatively, if the board needs to achieve the 15 percent labor representation, but wishes to maintain the same original number of members, it may choose to reduce the public-sector representation. For example, it may need to add 4 new labor representatives to the original 40 member board, but reduce by 4 the number of remaining public-sector members, if some of the remaining public-sector members could represent both their own programs and those represented by the members removed. The result would meet the labor requirement while maintaining the business majority and the original total number of board members.

One-Stop Operators

Requirement. UI Code 14206 describes local board functions, and Section 14206(d) specifically requires the board to ***“Select one-stop operators, with the agreement of the local chief elected official, annually review their operations, and terminate for cause the eligibility of such operators.”*** [Cf. WIA 117(d)(2)(A) and (d)(4); and 20 CFR 661.305(a)(2).]

Procedure. The Local Board must ensure that it has some mechanism in place that would allow it to terminate for cause an agreement with a One-Stop operator. The Local Board should review its written agreements with its One-Stop operators to determine whether those agreements already contain language that allows for the annual review of their operations and for termination for cause by the Local Board. If they do not, the Local Board should amend those agreements or implement other

action that would ensure that the Local Board will review operations annually and terminate for cause any One-Stop operator agreement.

Individual Training Accounts

Requirement. UI Code 14206(h) requires the Local Board to ***“Develop local policy on the amount and duration of individual training accounts based on market rate for local training programs.”*** [Cf. 20 CFR 663.420.]

Procedure. The Local Board’s policy on the amount and duration of individual training accounts should be established in writing. In addition to explaining how local market rate is determined and used, the policy may describe any other factors that are taken into consideration and how those factors affect the final decision on individual training accounts. Examples of other factors are the labor pool needs of key industries and high-growth occupations and the Local Area’s need for health-care workers or workers with other specific skills.

Training Services for Job Seekers

Requirement. UI Code 14230(a)(5) states that training services shall be made available to individuals who, among other criteria, ***“have selected a program of services directly linked to occupations in demand in the local or regional area.”*** [Cf. WIA 134(d)(4)(A)(iii) and 20 CFR 663.310(c).]

Procedure. This amendment to the UI Code does not contradict or supersede the intent of WIA 134(d)(4)(A)(iii) or 20 CFR 663.310(c). Specifically, although Local Boards may focus on training and related services pertaining to demand occupations within that geographic area, WIA funds still may be used for training and related services for occupations located outside the Local Area but in an area to which the job seeker is willing to relocate.

Local Memorandum of Understandings

Requirement. U.I. Code 14230 describes the services that must be available through California’s One-Stop Career Centers. Among those services are training services which must be ***“made available to individuals who have met the requirements for intensive services and who are unable to obtain or retain employment through intensive services.”*** Additionally, ***“Each local board shall develop a policy for identifying individuals who, because of their skills or experience, should be referred immediately to training services. This policy, along with the methods for referral of individuals between the one-stop operators and the one-stop partners for appropriate services and activities, shall be contained in the memorandum of understanding between the local board and the one-stop partners.”***

Procedure. Local Boards should modify their existing MOUs with the One-Stop partners as necessary in order to include the referral policy and methods as described in this new U.I. Code provision. Both the WIA (Section 134 and 20 CFR 663) and the U.I. Code describe the three tiers of service available to adults and dislocated workers

and the requirements for an eligible participant to move from core services, through intensive services, and into training services.

Many practitioners and policymakers across the nation originally interpreted three-tiered services as a “work first” program – that a participant would have to look for work for a period of time and demonstrate that he/she was unable to find employment before moving up to the next service tier. This was a misinterpretation of the law, however, and California’s own Workforce Investment Act Eligibility and Technical Assistance Guide addresses the issue on page 6 of 60, which reads, in part:

“Local areas cannot adopt a “work first” approach in developing local procedures and eligibility criteria for the three tiers of service. The adult and dislocated worker programs are not “work first” programs. Locally developed procedures and criteria must be designed to provide employment and training opportunities to those who can benefit from, and who are most in need of, such opportunities [WIA Section 195]. The appropriate mix and duration of services should be based on each participant’s unique needs.

Participants may receive the three levels of service concurrently and the determination that an individual needs intensive and/or training services can be made without regard to how long the individual has been receiving core or intensive services. Neither is it necessary for all individuals to receive staff-assisted core services before receiving intensive services. In addition, job search is not the only core service that satisfies the federal requirement that an individual must receive at least one core service before receiving intensive services. Such decisions are based on each participant’s employment and training needs.”

Most, if not all Local Boards, have already developed policies of some kind on how to serve participants based on their employment and training needs, rather than the work first philosophy. These policies may already be contained in the MOUs with One-Stop partners, and address a partner’s methods for referring someone immediately into training services.

Those MOUs that do not include such a provision will require modification to include the policy for immediately referring certain individuals into training services, and the methods for referring individuals between the local One-Stop Career Centers and partners. The policy may only apply to select partners or it may apply to all partners collectively, in addition to referrals within the One-Stops themselves. For instance, a local County Welfare Department (CWD) may provide legitimate core services such as assessment and job referral to TANF recipients, but then wish to refer those recipients who desire training to the One-Stop for training services. The Local Board may then develop and negotiate a policy specifically for accepting immediate referrals to training from the CWD and include it in the MOU with the CWD.

ACTION:

Please bring this directive to the attention of all relevant parties.

INQUIRIES:

If you have any questions, please contact your [Regional Advisor](#) at (916) 654-7799.

BOB HERMSMEIER
Chief
Workforce Services Division

DRAFT DIRECTIVE TRANSMITTAL
WORKFORCE INVESTMENT ACT

Number: WIADD-142

Date: May 30, 2007

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: COMMON MEASURES WAIVER REQUEST

☒ **IMMEDIATE ACTION**

Bring this draft to the attention of the appropriate staff.

☒ **E-MAIL COPY TRANSMITTED**

Number of pages (including coversheet): 8 of pages

If there are any problems with this transmittal, please call the Pagemaster at 916/654-8008.

SUBJECT MATTER HIGHLIGHTS:

The purpose of this Directive is to solicit comments from the workforce community on the State of California's waiver proposal to implement the Common Measures for Program Year 2007-08 and waive accountability to WIA Core Measures.

COMMENTS ARE DUE BY:

7/11/2007

Comments can be submitted through one of the following ways:

- 1) **Fax** — WSD, Attention: **Cassandra Dunlap** at 916/654-5181
- 2) **E-Mail** — CDunlap@edd.ca.gov (Include "draft comments" in the subject line)
- 3) **Mail** — WSD / P.O. Box 826880 / MIC 50 / Sacramento, CA 94280-0001

All comments received by the end of the comment period will be considered before the final directive is issued. However, we will not be able to individually respond to comments. **Comments received after the specified due date will not be considered.**

If you have any questions, contact your WSD Regional Advisor at (916) 654-7799.

DRAFT DIRECTIVE

WORKFORCE INVESTMENT ACT

Number:

Date:

69:322:pm:11050

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: COMMON MEASURES WAIVER REQUEST

EXECUTIVE SUMMARY:

Purpose:

The purpose of this directive is to solicit comments from the workforce community on the State of California's proposal to request a waiver of Workforce Investment Act (WIA) Section 136 (b) (2) and (c) (1) specifying state and local performance measures. Obtaining a waiver from the Secretary of Labor allows the State to reduce the number of WIA performance measures from 17 to six, aligned with the Common Measures defined by the Department of Labor (DOL) Employment and Training Administration (ETA). The State is considering implementation of the Common Measures for Program Year (PY) 2007-08. The Attachment to this directive provides a detailed discussion of California's waiver proposal.

Scope:

This directive applies to the 50 Local Workforce Investment Areas and the California Workforce Development Community.

Effective Date:

This directive is effective upon release

REFERENCES:

- Workforce Investment Act (WIA) of 1998 (i)(1)
- Section 189 (i)(4)
- Title 20 Code of Federal Regulations (CFR) Section 661.400, 661.410, 661.420, 661.430 and 661.440
- DOL Training and Employment Guidance Letter (TEGL) 17-05, Common Measures Policy for the ETA's Performance Accountability System and Related Performance Issues (February 17, 2006).

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STATE-IMPOSED REQUIREMENTS:

This directive contains no State-imposed requirements.

FILING INSTRUCTIONS:

Retain this directive until further notice.

BACKGROUND:

California currently reports 17 performance measures for the WIA Title IB programs. There are four primary measures across three funding streams – Adult, Dislocated Worker, and Older Youth, three performance measures for Younger Youth, and two customer satisfaction measures.

In 2001, the President announced a budget and performance integration initiative. As part of this initiative, federal agencies were charged with developing common performance measures across similar programs. In response to this initiative, the DOL ETA announced its intention to implement a set of Common Measures on July 1, 2005 for several workforce programs. The ETA common performance measures described in the TEGL 17-05 (February 17, 2006) reflect the agreed upon measures for the federal employment and training programs, including programs administered by the DOL and the Department of Education.

This State initiative to move forward with consolidated measures reflects the Governor's desire to better evaluate the success of California's employment and training system. The key elements of the proposed waiver request include:

- Combining performance measurement of clients served with Adult and Dislocated Worker WIA funds;
- Using a single set of measures for clients served through the Youth funding stream, thus eliminating Older Youth as a sub-population for the purpose of the performance measurement;
- Eliminating the credential measure for Adults and Dislocated Workers; and
- Eliminating the customer satisfaction measurement system required by DOL.

ACTION:

Bring this directive and the attached Proposed Waiver Request to the attention of the appropriate staff. Once all comments are received and this directive is final, the Employment Development Department will forward the Common Measure Waiver Request to California Workforce Investment Board (CWIB) for appropriate action. Upon completion of all waiver requirements, the CWIB will forward to the DOL for review and further consideration.

INQUIRIES:

If you have any questions, please contact your [Regional Advisor](#) at (916) 654-7799.

BOB HERMSMEIER
Chief
Workforce Services Division

Attachment

PROPOSED WAIVER REQUEST For Public Comment

BACKGROUND

Currently, states report 17 performance measures for the Workforce Investment Act (WIA) Title IB programs. There are four primary measures across three funding streams—Adult, Dislocated Workers, and Older Youth, three performance measures for Younger Youth, and two customer satisfaction measures. Table 1 below summarizes these measures.

TABLE 1. CURRENT PERFORMANCE MEASURES UNDER WORKFORCE INVESTMENT ACT TITLE IB

<u>PROGRAM</u>	<u>PERFORMANCE MEASURE</u>	<u>TOTAL MEASURES</u>
Adults	Entered Employment, Employment Retention, Wage Gain, and Employment with a credential	4
Dislocated Workers	Entered Employment, Employment Retention, Wage Gain, and Employment with a Credential	4
Older Youth	Entered Employment, Employment Retention, Wage Gain, and Employment with a credential	4
Younger Youth	Skill Attainment; Attainment of a Diploma or GED; Retention in Employment, post-secondary education, or the military	3
Across all Programs	Customer Satisfaction, Job Seeker and Employer	2
Total Performance Measures		17

In 2001, as part of his management agenda, the President announced a budget and performance integration initiative. In this move toward more results-oriented government, the Office of Management and Budget is charged with developing common performance measures across similar programs. The Department of Labor (DOL) Employment and Training Administration's (ETA) "Common Measures" reflect the agreed upon measures for the federal employment and training programs, including programs administered by the DOL and the Department of Education among others.

Under the proposed waiver, California will simplify the WIA performance system by discontinuing use of the current 17 performance measures and reducing the WIA outcome measures to six. This will allow for further planning with the local partners. Table 2 below lists the six performance measures California is proposing to implement effective July 1, 2007, under the waiver. Table 3 provides a detailed definition for each of the Common Measures.

TABLE 2. COMMON PERFORMANCE MEASURES

<u>PROGRAM</u>	<u>PERFORMANCE MEASURE</u>	<u>TOTAL MEASURES</u>
Adults & Dislocated Workers	Entered Employment; Employment Retention; Average Earnings	3
Younger Youth	Placement Employment or Education, Attainment of a Degree or Certificate; Literacy and Numeracy Gains	3
Total Measures		6

STATUTORY PROVISIONS TO BE WAIVED

(WIA) Section 136(b)(2) and (c)(1) specifying State and local performance measures.

GOALS TO BE ACHIEVED THROUGH THE WAIVER

This State initiative to move forward with consolidated measures reflects the Governor's desire to better evaluate the success of California's employment and training system. State and local partners express frustration over conflicting data collection requirements and performance objectives across the system and have indicated that these requirements can be an impediment to integrated services. Starting with this WIA Title IB initiative, California will work with our partners to expand the use of the Common Measures across employment and training programs in the State.

TABLE 3. COMMON MEASURES AT-A-GLANCE

ADULT MEASURES ¹	YOUTH MEASURES
Entered Employment <i>Of those who are not employed at the date of participation:</i> Number of adult participants who are employed in the first quarter after exit quarter <hr/> Number of adult participants who exit during the quarter	Placement in Employment or Education <i>Of those who are not in post-secondary education or employment (including the military) at the date of participation:</i> Number of youth participants who are in employment (including the military) or enrolled in post-secondary education and/or advanced training/occupational skills training in the first quarter after the exit quarter <hr/> Number of youth participants who exit during the quarter.
Employment Retention <i>Of those who are employed in the first quarter after exit:</i> Number of adult participants who are employed in <u>both</u> the second and third quarters after exit quarter <hr/> Number of adult participants who exit during the quarter	Attainment of a Degree or Certificate <i>Of those enrolled in education (at the date of participation or at any point during the program):</i> Number of youth participants who attain a diploma, GED, or certificate by the end of the third quarter after the exit quarter <hr/> Number of youth participants who exit during the quarter
Average Earnings <i>Of those adult participants who are employed in the first, second, and third quarters after the exit quarter:</i> Total earnings in the second plus total earnings in the third quarters after the exit quarter <hr/> Number of adult participants who exit during the quarter	Literacy and Numeracy Gains <i>Of those out-of-school youth who are basic skills deficient:</i> Number of youth participants who increase one or more educational functioning levels <hr/> Number of youth participants who have completed a year in the program (i.e., one year from the date of first youth service) plus the number of youth participants who exit before completing a year in the youth program.

STATE OR LOCAL STATUTORY OR REGULATORY BARRIERS

The relevant portions of WIA Section 136 do not conflict with any State or Local statute or regulation. The existing complex performance system does discourage the development of additional performance measures.

¹ The Adult Common Measures include both Adult and Dislocated Worker participants.

DESCRIPTION OF THE WAIVER GOAL AND PROGRAMMATIC OUTCOMES

The waiver is designed to:

- a. Simplify and streamline the performance measurement system;
- b. Create the opportunity for State-specific performance measures through a reduction in the federally mandated measures;
- c. Increase program integration by focusing the system on common goals; and
- d. Improve evaluation of California's employment and training system.

PROVIDING PUBLIC NOTICE

This waiver will be posted for 30-day public comment through the Employment Development Department, Workforce Community Web page and through the California Workforce Investment Board Web site.

DESCRIPTION OF INDIVIDUALS AFFECTED BY THE WAIVER

Approval of this waiver will positively affect all customers of California's workforce investment system by eliminating accountability as a barrier to service and improving program integration in the One-Stops.

DESCRIPTION OF THE PROCESS FOR MONITORING PROGRESS

The State's WIA management information system, the Job Training Automation System, has been modified to allow the State, its Local Workforce Investment Boards, and other WIA funded program operators to monitor client outcomes based on the core performance measures currently specified under WIA Section 136 and the Common Measures defined in TEGL 17-05. The State will report the Common Measures outcomes to the DOL ETA quarterly.

Action: Approval of Administrative Items

- **April 3, 2007 Administrative Committee Summary of Actions**
- **Recommendation for Local Area Modification Requests: Carson/Lomita/Torrance and South Bay**

**Administrative Committee Meeting
Summary of Meeting
April 3, 2007**

In Attendance:

Kirk Lindsey
Victoria Bradshaw
Edward Munoz
Chris Essel

Jose Millan
Larry Gotlieb
Jamil Dada

Others Present

Jamie Fall
Bruce Stenslie
Ray York

John Bohart
Ken Quesada

Welcome and Announcements:

- Barbara Halsey was announced as the new Executive Director of the California Workforce Investment Board (State Board). She will be attending the April 19, 2007 State Board meeting and is scheduled to begin work on or around May 1, 2007.

Executive Director's Report: Ray York

- Legislative Update: Representatives Kennedy and Miller say some sort of Workforce Investment Act (WIA) reorganization will happen down the road, and that a bill will hopefully be on the senate floor by the end of May. There has also been talk of WIA reauthorization that would then be open for a two-year period.

Victoria Bradshaw stated that she and Director Henning of the Employment Development Department (EDD) met with Representative Miller recently in Washington and that it is unlikely any of this will occur before the end of the year. There is a desire for this legislation to be completed, however it still does not appear as if it will be before 2008.

- WIRED (Generation 3): Victoria Bradshaw stated that there are currently two applications (one from the Sacramento Employment and Training Agency for Clean Technology and a project in the San Joaquin Valley targeting the agriculture value chain) being sent to the Governor, which will then be forwarded to the Department of Labor (DOL). The grants are \$5 million over 3 years. The deadline for submitting these applications is April 13, 2007

We are cautiously optimistic that these applications will do well because DOL is looking for Clean Technology and Agriculture based proposals.

- Pre-Vocational Training Solicitation for Proposal (SFP): There should be an announcement very soon regarding the Pre-Vocational Training SFP, which makes \$4 million available for serving at-risk youth. There will be a press conference on April 4, 2007 that will focus on the At Risk Youth in high demand occupations.
- Apprenticeship Forums: There are five dates in May when the forums are being held. They are listed below and are posted on the State Board website.
 - May 1st, 2007 Santiago Canyon College, Orange
 - May 8th, 2007 Bakersfield College
 - May 11th, 2007 Madera Center, State Community College District
 - May 15th, 2007 West Valley Mission College, Santa Clara
 - May 17th, 2007 Shasta College, Redding

Jose Millan stated that apprenticeships are a very valuable tool. Employers in non-traditional trades can utilize apprenticeships as well. The benefit of these programs is that the employers themselves fuel them. Private sector apprentices are employees, and so the burden of training or upgrading their skills is largely on the employer. Apprentices would be referred to these programs by the local One Stops or could be existing employees ready to be retrained.

Kirk Lindsey asked what is the measurement for success? Who pays for it? Jose Millan replied that the Chancellor of the Community College and employers fund them.

Victoria Bradshaw stated that the success of apprenticeships is significantly tied to the employer. The student must pass a test but the employer must also be happy and have a job available to the student. This would be perfect for the medical shortages. What is most interesting is that student's work with teachers and mentors that are extremely engaged. All parties involved in the apprenticeship program must be ready and willing to put forth a great amount of time and effort, which is often the reason for its success.

- Local Area Modification: There are two competing Local Area Modification requests that need to be resolved. On March 9, 2007 we received an application that requested a merger between South Bay and Carson. Carson/Lomita/Torrance claims that this is illegal due to the Joint Powers Agreements (JPA) signed by Carson that is in effect through 2008. The issue, however, is that a decision must be reached before June 30, 2007 to be approved and in place by the beginning of the new fiscal year on July 1, 2007

Victoria Bradshaw added that there is a potential divorce here that will affect many people. Clearly something must be done before the 2007-2008 budget because this issue will affect the allocation formula of all boards. We must look at all of the issues involved here such as who have the fiscal ability and what can or will we do. These disputes affect our client base and so we must look at this with real concern.

Motioned: The Board should wait out the week and if it appears it will not be resolved without state involvement then the Board will act. All committee members present approved this motion.

Approval of Administrative Items:

- Meeting Minutes: all members present approved the meeting minutes as recorded.
- Recommendation for Approval of DOL State Plan and Waivers: John Bohart stated that we did not receive any public comment online and a few personal e-mails were received internally from our EDD partners. The majority of those comments were suggestions regarding language and format changes, but nothing substantive. The most significant changes were the inclusion of a few charts and graphs that further clarified the document.

The Plan includes all five waivers that California currently enjoys, and with approval of the Plan, these waivers will also be extended for an additional two-year period. The Department of Labor has also said that they will review the plan before the deadline and make comments on it so that it can be changed before the final date.

There was approval by the members to move the DOL State Plan as written to the full Board for approval.

- Special Committee Activities: Ken Quesada stated that the implementation efforts for the Workforce Training Act (SB 293) have been divided into three separate tracks. The DOL State Plan, Technical Implementation, and the State Strategic Plan. The leadership of the Partnership Coordination Team has provided guidance, which focused on the strategic planning effort. The February 22, 2007 State Board meeting yielded many issues and goals as well as approval of the SB 293 process and timeline.

The four Special Committees were tasked with focusing on the questions, “Where are we now?” And “Where do we want to be?” Staff are currently compiling this input and will present these data to the State Board at its April 19, 2007 meeting.

- One Stop Certification: The Special Committee on Accountability in Workforce Investment is developing a guide for One Stop certification; a final draft should be ready soon. Sixteen to seventeen Local Workforce Investment Boards have already implemented local certification processes and have volunteered to provide technical assistance in implementing the State-level process. It is unclear when certification will begin, but hope is for late spring. A date will be decided before the next board meeting.

Kirk Lindsey, the Chair of this Committee added that the intent of One Stop certification has been a voluntary process, but it is intended to ensure some

uniformity and a service level across the statewide system; there may be an opportunity with SB 293 to mandate participation and certification.

Victoria Bradshaw added that refusing One Stop certification at this point would be wrong. One Stops can either volunteer now or wait for mandatory certification. The choice is theirs.

- April 19, 2007 State Board Meeting Agenda: Larry Gotlieb stated that Board Members should look at the State Plan and Waivers prior to the State Board meeting so that major issues are not raised the day of the meeting, allowing a majority of the time is to be spent on the strategic planning efforts. The Committee recommended one change to the Agenda for the upcoming State Board meeting.

Public Comment:

- Ray York and Jamie Fall were commended on their efforts for keeping the State Board going in the absence of an Executive Director.

Other Business:

- There was no additional business. The meeting was adjourned.

Administrative Item

Action Requested

The Administrative Committee recommends to the Governor or his designee, the merger of the Cities of Torrance and Lomita into the Greater Long Beach Local Workforce Investment Area (LWIA); and the merger of the City of Carson into the South Bay LWIA.

Background

Section 116 of the federal Workforce Investment Act (WIA) provides the Governor with the authority and the responsibility to designate cities, counties, or consortia of cities and/or counties as Local Areas for delivering WIA services. The Governor may approve a request from any unit of general local government, including a combination of such units for designation if the State Board determines, taking into account the factors described in Section 116 of WIA, and recommends to the Governor, that such areas should be so designated. It is essential that the merger of the Cities into another/other LWIA(s) take place by July 1, 2007 in order for there to be no disruption of WIA services in the effected communities.

Local Area Modification Requests

In mid February 2007, the Carson/Lomita/Torrance (CLT) LWIA submitted a local area modification request to merge as a consortium of Cities with the Greater Long Beach LWIA. The request was initiated when City of Torrance indicated that it could no longer function as administrative and fiscal entity for the CLT LWIA.

Additionally, when the Cities of Carson and Lomita were approached both indicated they would not assume fiscal or administrative responsibility for the CLT LWIA. These actions in effect result in the dissolution of the existing Joint Powers Agreement under which the CLT LWIA has been functioning, rendering it unable to accept and expend WIA formula allocation funds after July 1, 2007.

While the original CLT request was still active the City of Carson chose to negotiate separately, with the South Bay LWIA. At the City Council meeting on March 7, 2007 the City of Carson adopted Council Resolution No. 07-025. This action resolved the intent of the City to merge with the South Bay Local Area. The State was notified of this action in a letter received by the Workforce Services Branch from Jerome G. Groomes, City Manager, dated March 8, 2007. On March 9, 2007 the State Board received a formal local area modification request from the South Bay LWIA requesting that the City of Carson be merged into its LWIA.

Negotiations with the parties and resolution of the issues involved with the local area modification requests received could not be completed in time for a recommendation to be brought before the State Board at its April 19, 2007 meeting. As a result, at the April 19, 2007 meeting the State Board authorized the Administrative Committee to hear staff recommendations and take appropriate action before July 1, 2007. Staff members from the State Board, the Employment Development Department (EDD), and the Labor and Workforce Development

Agency have worked with the Local Workforce Investment Boards (LWIB) involved in this local area modification effort.

The City of Carson's resolution stating its intent to merge with the South Bay LWIA modified the original application received. The EDD and the State Board subsequently requested that the Greater Long Beach LWIA verify the intent of the Cities of Lomita and Torrance to proceed with their plans to merge with the Greater Long Beach LWIA without the City of Carson. Additionally, the City of Long Beach was asked to verify its continued interest in such a merger absent the City of Carson. All the requested documentation was received by the State Board and EDD in May 2007 and remains on file

Assets/Liabilities Distribution

There are various assets and liabilities which are currently the responsibility of the CLT LWIA. These include:

- Any unspent formula WIA funds remaining as of June 30, 2007;
- New Program Year 07-08 Youth funds which have been granted to CLT;
- Any funds remaining in the Nissan WIA Dislocated Worker Additional Assistance grant as of June 30, 2007;
- Any remaining property and equipment, including computers;
- Facilities and equipment leases which may be in effect; and
- Participants who may be "carried-over" into the new Program Year on July 1, 2007.

Recommendations

Based on the concurrence of the affected local parties, it is recommended that the City of Carson be merged with the South Bay LWIA, and that the Cities of Lomita and Torrance be merged with the Greater Long Beach LWIA.

Additionally, the State Board and EDD recommend that the current financial and property assets be split based on each city's respective share of the WIA formula funding for next Program Year. Using this formula the share of financial and property assets would be distributed as follows:

Carson -- 63.4%;
Torrance -- 30.5%;
Lomita -- 6.1%

This percentage of share methodology will be used to distribute any financial and property assets remaining as of July 1, 2007. An exception to this distribution methodology will be any funds left in the Nissan Dislocated Worker grant. This grant was awarded to serve workers affected by a layoff event of a business headquartered in City of Carson. The Department recommends that any remaining funds in this grant be transferred to the organization responsible for the City of Carson effective July 1, 2007.

The WIA formula funds that CLT would have received for the SFY 2007-08 will be distributed by EDD based on the above noted percentage formula.

Discussion: July 26, 2007 Board Meeting Agenda



CALIFORNIA WORKFORCE INVESTMENT BOARD

MEETING NOTICE

**Sacramento Public Library
Tsakopoulos Library Galleria
828 I Street
Sacramento, CA**

**Thursday, July 26, 2007
1:00 p.m. – 4:00 p.m.**



Lawrence Gotlieb
Chair

Chris Essel
Vice Chair

Arnold Schwarzenegger
Governor

Barbara Halsey
Executive Director

AGENDA

- 1. Welcome and Opening Remarks**
 - **Larry Gotlieb, Chair**
- 2. Update – Labor and Workforce Development Agency Report**
- 3. Update – Executive Director’s Report**
 - **Legislative Report**
 - **Local Area Modification Requests**
 - **Workforce Training Act (SB 293) Implementation**
 - **Special Committee Updates**
- 4. Action:**
 - **Approval of April 19, 2007 State Board Meeting Summary**
 - **Approval of Common Measures Waiver**
- 5. Information Presentation**
- 6. Panel Discussion/Invited Experts**
- 7. Public Comment**
- 8. Other Business that May Come Before the State Board**

Meeting conclusion time is an estimate; meeting may end earlier subject to completion of agenda items and/or approved motion to adjourn.

In order for the State Board to provide an opportunity for interested parties to speak at the public hearings, public comment may be limited. Written comments provided to the California Workforce Investment Board must be made available to the public, in compliance with the Bagley-Keene Open Meeting Act, §11125.1, with copies available in sufficient supply.

Individuals who require accommodations for their disabilities (including interpreters and alternate formats) are requested to contact the California Workforce Investment Board staff at (916) 324-3425 at least ten days prior to the meeting. TTY line: (916) 324-6523. Please visit the California Workforce Investment Board website at <http://www.calwia.org> or contact Daniel Patterson for additional information.

Public Comment

Other Business